



Attorney Docket Number 0263421-0044

### DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Expansion Tank with Double Diaphragm

the specification of which:

\_\_\_ is attached hereto

X was filed on April 21, 2004 as Application Serial No. 10/828,980 and amended on \_\_\_\_\_ (if applicable).

\_\_\_ was filed as PCT international application No. \_\_\_\_\_,  
on \_\_\_\_\_ and was amended under PCT Article 19  
on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

(Number)	(Country)	(Day/Month/Year/Filed)	Yes	No
----------	-----------	------------------------	-----	----

_____(Number)	_____(Country)	_____(Day/Month/Year/Filed)	____Yes	____No
---------------	----------------	-----------------------------	---------	--------

(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)


(PCT Appl. No.)	(filing date)	(status-patented, pending, abandoned)
2006/000000	2006.01.01	patented
2006/000001	2006.01.01	pending
2006/000002	2006.01.01	abandoned

Provisional Application(s): \_\_\_\_\_

<u>60/489,056</u> (Application Serial No.)	<u>July 22, 2003</u> (filing date)	<u>Pending</u> (status-patented, pending, abandoned)
---	---------------------------------------	---

- 2 -

1) Full name of first inventor: Robert Lombardi

Inventor's signature:  Date: 12/26/04

Mailing Address: 86 Pound Hill Road, North Smithfield, RI 02896

Citizenship: USA

Residence (if different from mailing address): City: North Smithfield State: RI

3724431v1



**ATTORNEY DOCKET NO.: 0263421-0044**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Robert Lombari                      Examiner: To be assigned

Serial No.: 10/828,980 Art Unit: 3727

Filing Date: April 21, 2004

Title: EXPANSION TANK WITH DOUBLE DIAPHRAGM

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

## APPOINTMENT OF ATTORNEY

On behalf of Flexcon Industries, the undersigned hereby appoints Choate, Hall & Stewart, Customer No. 24280 as its attorneys and agents for prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to Valarie B. Rosen, Choate, Hall & Stewart, Exchange Place,  
53 State Street, Boston, Massachusetts 02109.

Respectfully submitted,

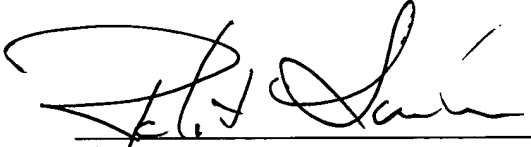
Name: Deborah W Davis  
Title: VP Sales and Marketing  
Date: 8/23/04

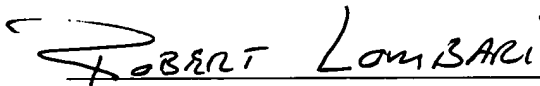
3735815v1

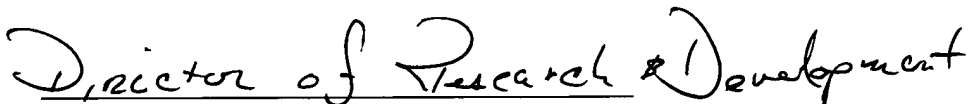


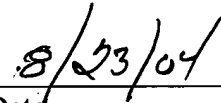
**STATEMENT**

I, a person authorized to sign on behalf of the assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is mine/ours as assignee who seeks to take further action.

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Name

  
\_\_\_\_\_  
Title

  
\_\_\_\_\_  
Date

3735811v1

## ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned, Robert Lombari, hereby

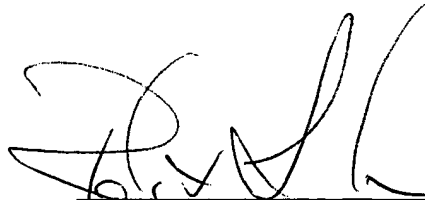
Sell, assign and transfer to Flexcon Industries a Massachusetts corporation, having a place of business at P. O. Box 782, 300 Pond Street, Randolph, MA 02368 its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Design Patent filed April 21, 2004 and entitled "Expansion Tank with Double Diaphragm," application serial no. 10/828,980 (attorney docket no. 0263421-0044) and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said ASSIGNEE, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to us relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

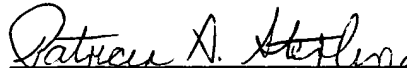
Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us, and that full right to convey the same as herein expressed is possessed by us.

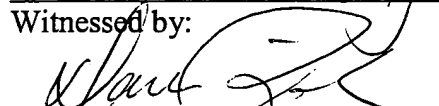
Dated: 4/26/04

  
Robert Lombari

Dated: 7/26/04

  
Witnessed by:

Dated: 7/26/2004

  
Witnessed by:

3724439v1